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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

IN RE MERCK & CO., INC. SECURITIES,  
DERIVATIVE & "ERISA" LITIGATION

MDL No. 1658 (SRC)  
Civil Action No. 05-1151 (SRC) (MAS)  
Civil Action No. 05-2367 (SRC) (MAS)

THIS DOCUMENT RELATES TO: THE  
CONSOLIDATED SECURITIES ACTION

**NOTICE OF MOTION**

TO: All Persons on ECF service list

PLEASE TAKE NOTICE in accordance with the schedule set forth in the Order dated January 3, 2012, the undersigned counsel for Lead Plaintiffs the Public Employees' Retirement System of Mississippi ("MPERS"), Steven LeVan, Jerome Haber and Richard Reynolds, together with plaintiff Rhoda Kanter (collectively, "Plaintiffs"), shall move before Hon. Stanley R. Chesler at the United States Post Office and Courthouse Building, Newark, New Jersey for class certification pursuant to Fed.R.Civ.P. 23 and for their own appointment as Class representatives, and the appointment of Co-Lead Counsel (Bernstein Litowitz Berger & Grossmann LLP; Brower Piven, A Professional Corporation; Milberg LLP; and Stull, Stull & Brody) as Class Counsel.

The undersigned intends to rely upon the annexed Memorandum of Law in support thereof, the Declaration of James Cecchi in Support of Lead Plaintiffs' Motion for Class Certification and the exhibits thereto, the Declaration of David Tabak, Ph. D. and the exhibits thereto.

The undersigned hereby requests oral argument.

CARELLA, BYRNE, CECCHI,  
OLSTEIN, BRODY & AGNELLO  
Liaison Counsel For Plaintiffs

By: /s/ James E. Cecchi  
JAMES E. CECCHI

Dated: April 10, 2012

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